

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BUTTE DIVISION

**FILED**  
AUG 02 2018  
Clerk, U.S. District Court  
District Of Montana  
Missoula

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JENNIFER LYNN MARSHALL,

Defendant.

CR 18-4-BU-DLC

FINDINGS AND  
RECOMMENDATION  
CONCERNING PLEA

The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to one count of conspiring to distribute, and to possess with the intent to distribute, methamphetamine in violation of 21 U.S.C. §§ 841(a)(1) and 846 as set forth in Count I of the Indictment, and one count of the possession of a firearm in furtherance of a drug trafficking crime in violation of 18 U.S.C. § 924(c)(1)(A)(i) as set forth in Count V of the Indictment. Defendant also admits to the forfeiture allegation in the Indictment. In exchange for Defendant's pleas, the United States has agreed to dismiss Count IV of the Indictment.

After examining the Defendant under oath, I have made the following determinations:

1. That the Defendant is fully competent and capable of entering informed and voluntary pleas to the criminal offenses charged against her, and an informed and voluntary admission to the allegation of forfeiture;

2. That the Defendant is aware of the nature of the charges against her and the consequences of pleading guilty to the charges;

3. That the Defendant understands the allegation of forfeiture and the consequences of admitting to the allegation;

4. That the Defendant fully understands her constitutional rights, and the extent to which she is waiving those rights by pleading guilty to the criminal offenses charged against her, and admitting to the allegation of forfeiture;


5. That both her pleas of guilty to the criminal offenses charged against her and her admission to the allegation of forfeiture are knowingly and voluntarily entered, and are supported by independent factual grounds sufficient to prove each of the essential elements of the criminal offenses charged and the legal basis for the forfeiture.

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that she fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are true. Therefore, I recommend that the Defendant be adjudged guilty Counts I and

V of the Indictment, that the agreed forfeiture and sentence be imposed against Defendant. I further recommend that Count IV of the Indictment be dismissed.

**This report is forwarded with the recommendation that the Court defer a decision regarding acceptance until the Court has reviewed the Plea Agreement and the presentence report.**

DATED this 2<sup>nd</sup> day of August, 2018.

  
Jeremiah C. Lynch  
United States Magistrate Judge